

**BROKEN ARROW CITY COUNCIL
AGENDA
COUNCIL CHAMBERS
220 SOUTH FIRST STREET
BROKEN ARROW, OKLAHOMA 74012
September 1, 2009**

6:30 PM

- 1. Call to Order**
- 2. Invocation**
- 3. Roll Call**
- 4. Pledge of Allegiance to the Flag**
- 5. Consideration of Consent Agenda**
 - A. Approval of regular meeting minutes of August 18, 2009
 - B. Acceptance of the minutes of the Planning Commission meeting held August 13, 2009
 - C. Approval of and authorization to execute Budget Amendment Number 6 for Fiscal Year 2009-2010
 - D. Approval of service contract with Lucy Simpson, MS, LCP for Fiscal Year 2009-2010
 - E. Approval of a Contract with the Metropolitan Tulsa Transit Authority to Provide Public Transportation Services for Fiscal Year 2009-10
 - F. Approval of the Workers' Compensation Order on Jonathan Williams a Fire Department employee.
 - G. Ratification of Resolution 608, a Resolution of the Council of the City of Broken Arrow, Oklahoma, establishing the Wireline Nine-One-One (9-1-1) Emergency Telephone Fee for calendar year 2010 at five percent (5%)
 - H. Approval of Resolution No. 609, authorizing the execution of an ODOT Project Agreement for Resurfacing Kenosha Street from Main to Sixth Street
 - I. Approval of Resolution No. 610, authorizing the execution of an ODOT Project Agreement for Resurfacing Kenosha Street from Hickory Court to Aspen Avenue
 - J. Approval of Resolution No. 611, authorizing the execution of an ODOT Project Agreement for Traffic Signals at Albany Street and Stone Ridge Drive
 - K. Approval of Resolution No. 612, authorizing the execution of an ODOT Project Agreement for Traffic Signals at new Orleans and Ninth Street
 - L. Approval of Resolution No. 613, authorizing the execution of an ODOT Project Agreement for Traffic Signals at Elm Place and Stonewood Drive
 - M. Approval of Resolution No. 614, declaring the eligibility of the City of Broken Arrow to submit an application to the Oklahoma Department of Transportation for use of Safe Routes to Schools funds set forth by SAFETEA-LU for the Indian Springs Elementary School Trail project in Broken Arrow, and authorizing the Mayor to sign this Application
 - N. Approval of Work Order Number W016 for Concrete Street Repairs and the Concrete Curb and Gutter Repairs to the Quail Run Subdivision

- O. BAZ 1837, 2.31 acres, 1 lot, R-1 to CG, one-fourth mile west of the southwest corner of Olive Avenue (129th East Avenue) and Kenosha Street (71st Street)
- P. PT09-102, conditional final plat, Kum & Go 877, 7.59 acres, 2 lots, CG, northeast corner of 9th Street (Lynn Lane/177th East Avenue) and Albany Street (61st Street).
- Q. SP 232, Union Eighth Grade Center, 30.90 acres, 1 lot, R-3, RM, SP 20 and SP 147, one-half mile north of Kenosha Street (71st Street), east of Garnett Road (113th East Avenue)
- R. Acceptance of a Deed of Dedication, Temporary Drainage Easement and Utility Easement from E.A. Schermerhorn, B.K. Schermerhorn, Starlight Investments, LLC, J. Alan Davis and Joan Zappe Davis (S35 T19N R14E) (Project: Park at Mission Hills DN08-119)
- S. Acceptance of three (3) Access Easements and a Waterline Easement from Tulsa Technology Center School District No. 18 (S29 T18N R14E) (Project: Tulsa Tech School District No. 18 DN 07-155)
- T. Acceptance of a Temporary Drainage Easement and Utility Easement from White Earth, LLC (S35 T19N R14E) (Project: Park at Mission Hills DN08-119)

U. Approval of the Claims List

6. Consideration of Items Removed from Consent Agenda

7. Public Hearings, Appeals, Presentations, Recognitions, Awards and Oaths

A. Public Hearing: Arrow Acres Assessment District

8. Citizens' Opportunity to Address the Council on General Topics Related to City Business or Services (approximately 7:00 p.m.)

9. General Council Business

- A. Approval of a contract with Affion Public, LLC to conduct the search for a City Manager
- B. Approval of Interagency Agreement to establish DA Taskforce on Crimes Against Children
- C. Approval of the Fiscal Year 2009-10 Labor Agreement with the Fraternal Order of Police Lodge # 170
- D. Approval of nominations of two attorney representatives to the Judicial Nominating Committee, as provided by Section 14-6 of the Broken Arrow Code
- E. Consideration of and possible action on request for removal of the Sewer Plant sign on South 9th Street at the entrance to the Oaks at Indian Springs

10. City Manager's Report

A. Police Department ICMA Study Action Plan

11. Preview Ordinances

- A. An ordinance amending the Broken Arrow Building Code, Chapter 6, Article III; repealing all ordinances to the contrary and declaring an emergency.
- B. An ordinance amending Chapter 14, Article I, Section 14-32 of the Broken Arrow Code pertaining to Costs upon judgment of conviction; repealing all ordinances to the contrary; and declaring an emergency.

- C. An ordinance amending the Broken Arrow Nuisance Code, Chapter 15; and creating Articles I, II and III; adopting the International Property Maintenance Code as the Existing Structures Code; repealing all ordinances to the contrary and declaring an emergency.

12. Ordinances

- A. Adoption of Ordinance No. 2647 Corrected - An ordinance closing a utility easement, located in part of Tiger Plaza an addition to the City of Broken Arrow, Wagoner County, State of Oklahoma, according to the recorded plat thereof, providing for reservation of rights within the closed easements, and declaring an emergency
- B. Adoption of Ordinance No. 3053 amending the Zoning Ordinance of the City of Broken Arrow, Oklahoma (Ordinance No. 2931), approving BAZ-1755, granting I-H zoning to be placed upon the tract, except for 2.1016 acres to be designated FD, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- C. Adoption of Ordinance No. 3054 - An ordinance closing a sewer line easement, located in Lot 2 Tiger Plaza an addition to the City of Broken Arrow, Wagoner County, State of Oklahoma, according to the recorded plat thereof, providing for reservation of rights within the closed easements, and declaring an emergency

13. Remarks and Inquiries by Governing Body Members

- 14. Executive Session** for the purpose of confidential communications and possible action in open session between the City Council, the Acting City Manager, the City Attorney and the Human Resources Director for the purpose of conferring on contract negotiations concerning the IAFF employee group under 25 O.S. § 307(B)(2); on litigation involving State of Oklahoma, ex rel., Karen Franklin v. Horizon Construction Company, et al., Tulsa County District Court Case Number: CJ-2008-8620, and a tort claim filed by Jackie Carner, both under 25 O.S. § 307(B)(4); discussing and taking possible action on the proposed purchase and appraisal of land located North of Albany and East of Elm Place and in the vicinity of Albany and Elm Place for location of a conference center under 25 O.S. § 307(B)(3). The Council is advised that disclosure will seriously impair the ability of the public body to process this pending litigation and claim in the public interest. After the conclusion of the confidential portion of executive session, the Council will reconvene in open meeting, and the final decision, if any, will be put to a vote.

15. Adjournment

NOTICE:

All cell phones and pagers must be turned OFF or operated SILENTLY during Council meetings.

Exhibits, petitions, pictures, etc., presented to the authority shall be received and deposited in case files to be kept at the Broken Arrow City Hall.

If you are a person with a disability and need some accommodation in order to participate in this meeting, please contact the City Clerk at 918-259-2400 Ext. 5418 to make arrangements.

POSTED this ____ day of _____, 2009, at _____ a.m./p.m.

City Clerk